

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 15 MARCH 2002

**01/0835/FL: PROPOSED SINGLE STOREY EXTENSION TO REAR TO FORM
2 NO. BED APARTMENTS AND INTEGRAL GARAGE
AT 42 GLASGOW ROAD, KILMARNOCK
BY MR & MRS A PATERSON**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning consent is sought for the erection of a single storey extension and integral garage to the rear of the dwellinghouse. The proposal will provide a new kitchen and utility area, two bedrooms, one of which will have an ensuite bathroom, an integral garage and sunroom. The existing small kitchen extension will be demolished as a result of these proposals. The proposed extension will be finished in Ballahulish slate to the pitched roof with white roughcast to the walls.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to the conditions on the attached sheet.

3. CONCLUSIONS

3.1 As is indicated in Section 5 of the report the application is considered to be in accordance with the development plan. Therefore given the terms of Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 the application should be approved unless the material considerations indicate otherwise.

3.2 The proposed extension is in keeping with Policy ENV 7 of the EALP as it is in accordance with advice detailed in the East Ayrshire Design Guidance. The proposed extension has been designed to avoid having any detrimental impact on adjacent properties in terms of overlooking, loss of daylight or privacy. The existing boundary treatments to both sides and the rear will further mitigate against any detrimental impact on adjacent properties. Although the proposed extension is larger than the floor area of the existing dwellinghouse, the rear garden ground is sufficiently large and well screened as to accommodate this

extension and to leave sufficient garden ground. The design and materials of the proposed extension are considered to be in keeping with the existing dwellinghouse and the surrounding residential area.

3.3 The objection from West of Scotland Water Authority can be addressed with the use of a suspensive condition attached to any grant of planning permission.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control, it will not require to be referred to the Development Services Committee as there would be no significant breach of Council policy.

Alan Neish
Head of Planning and Building Control

Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.

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Report by Head of Planning and Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation as it is subject to objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is a single storey detached house on Glasgow Road and its curtilage. The existing house has a slate roof and roughcast finish to the walls. There is a single storey kitchen extension to the rear. The rear curtilage is 360 square metres in area.

2.2 **Proposed Development:** Full planning consent is sought for the erection of a single storey extension and integral garage to the rear of the dwellinghouse. The proposal will provide a new kitchen and utility area, two bedrooms, one of which will have an ensuite bathroom, an integral garage and sunroom. The existing small kitchen extension will be demolished as a result of these proposals. The proposed extension will be finished in Ballahulish slate to the pitched roof with white roughcast to the walls.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division have no objections to the proposed development.

Noted.

3.2 West of Scotland Water Authority have objected to the development. The existing downstream Combined Sewer Overflow (CSO) has been classified as unsatisfactory. Preliminary investigation suggests that upgrading of the sewerage system will be outwith reasonable cost. Increase in surcharging caused by the proposed development will also be unacceptable.

Should the application be approved an appropriate suspensive condition can be attached to any grant of planning consent requiring that no works shall start on site until such time as the applicant can provide written confirmation from West of Scotland Water Authority that it is satisfied with the proposed drainage arrangements.

3.3 The Coal Authority have not responded to the consultation letter.

Noted.

3.4 Community Council - There is no Community Council in existence for this area.

Noted.

4. REPRESENTATIONS

4.1 One letter of objection from West of Scotland Water is detailed in paragraph 3.2 above.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application, the development plan comprises the Approved Ayrshire Joint Structure Plan and the Adopted Kilmarnock Local Plan (1985). The Adopted Local Plan was prepared within the context of the then emerging Strathclyde Structure Plan.

5.2 Notwithstanding the age of the Adopted Local Plan the proposal would fall to be considered against this document and its associated policies. The Adopted Local Plan contains design guidance requiring that extensions do not dominate existing buildings and that they are compatible with the local architectural character. Additionally a "reasonable amount of open space and garden ground" shall be retained.

On balance and given the circumstances of this site it is considered that the proposal is compliant with the Adopted Local Plan.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the East Ayrshire Local Plan Finalised Version with Modifications (EALP) and the consultation responses.

East Ayrshire Local Plan, Finalised Version with Modifications

6.2 The Council has agreed that the EALP should be considered as a prime material consideration. In terms of the EALP the application site is located in a residential area within the settlement boundary of Kilmarnock. Policy ENV 7 of EALP expects all developers to comply fully with the Council's existing and emerging Design Guidance and Policy documents relating to and advising on the particular type of development proposed.

The East Ayrshire Council Design Guidance advises that extensions to existing residential properties shall be sited and designed to minimise any overlooking of neighbouring properties and to ensure maximum provision of privacy and daylighting. The materials and colours used in the construction of extensions to residential properties should match the finish of the existing dwellinghouse. Wherever possible, any residential extension should be sited so as to avoid the unnecessary removal of trees, hedges or other landscape features which are considered to contribute positively to the appearance and character of the area. All extensions to residential properties should incorporate double-pitched or hipped roofs in situations open to general view.

The proposed extension will not have a detrimental impact on the adjacent residential properties in terms of loss of privacy or daylight. There is a 1.8 metre high fence, hedging, trees and a garage along the boundary with No. 44. There is a glasshouse and 1.8 metre high fence along the boundary with No.40. The properties at the rear are sited at a higher level than the application site. The proposed extension has been designed to avoid any overlooking to neighbouring properties. The materials of the proposed extension will match the materials of the existing house in terms of the use of slate on the roof and roughcast finish on the walls. No trees or hedges will be removed as a result of the development.

Consultation Replies

6.3 The West of Scotland Water Authority have raised objection to the proposal however it is considered that its concern can be addressed by attaching a condition to any grant of planning permission requiring satisfactory drainage arrangements to be agreed with them prior to the commencement of development.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in the determination of this application.

8. CONCLUSIONS

8.1 As is indicated in Section 5 of the report the application is considered to be in accordance with the development plan. Therefore given the terms of Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 the application should be approved unless the material considerations indicate otherwise.

8.2 The proposed extension is in keeping with Policy ENV 7 of the EALP as it is in accordance with advice detailed in the East Ayrshire Design Guidance. The proposed extension has been designed to avoid having any detrimental impact on adjacent properties in terms of overlooking, loss of daylight or privacy. The existing boundary treatments to both sides and the rear will further mitigate against any detrimental impact on adjacent properties. Although the proposed extension is larger than the floor area of the existing dwellinghouse, the rear garden ground is sufficiently large and well screened as to accommodate this extension and to leave sufficient garden ground. The design and materials of the proposed extension are considered to be in keeping with the existing dwellinghouse and the surrounding residential area.

8.3 The objection from West of Scotland Water Authority can be addressed with the use of a suspensive condition attached to any grant of planning permission.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control, it will not require to be referred to the Development Services Committee as there would be no significant breach of Council policy.

Alan Neish
Head of Planning and Building Control

06 March 2002
(PC/MMM)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form/Plans.
2. Statutory Notice/Certificates.
3. Consultation Replies.
4. Adopted Kilmarnock Local Plan.
5. East Ayrshire Local Plan Finalised Version with Modifications.
6. Approved Strathclyde Structure Plan.
7. Approved Ayrshire Joint Structure Plan.

Anyone wishing to inspect the above papers please contact Pamela Clifford on 01563 576772.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

01/0835/FL

Site of Proposal: 42 Glasgow Road
KILMARNOCK

Nature of Proposal: Proposed Single Storey Extension to Rear to
Form 2 No. Bed apartments and Integral
Garage

Name & Address of Applicant: Mr & Mrs A Paterson
42 Glasgow Road
KILMARNOCK KA3 1TX

Name & Address of Agent: David Cullen
75 Drumpellier Avenue
COATBRIDGE ML5 1JS

DPOs Reference: PC/MMM

The above FULL application should be granted subject to the following conditions:-

1. The garage shall not be used for commercial purposes, other than those being incidental to the occupant's enjoyment of this residential property.

REASON To safeguard the residential amenity of the area.

2. No work shall commence on site until such time as the applicant has provided the Planning Authority with written confirmation from the West of Scotland Water Authority that the sewerage system is capable of accommodating the connection of this property.

REASON To ensure that adequate drainage is provided.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**

AGENDA